IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1118 OF 2005

WITH

CIVIL APPLICATION NO.1211 Of 2005

Riyozoddin Shamsuddin Patel ..Appellant.

Vs.

Shafiyoddin Shamsuddin Patel

& Ors. ..Respondents.

....

Mr.Dinesh Adsule for the Appellant.

Mr.P.J.Pawar for Respondent Nos.10 and 11.

...

CORAM : DR.D.Y.CHANDRACHUD, J.

20th December, 2005.

P.C. :

The Civil Judge, Senior Division, Pune while rejecting an application for the grant of an interim injunction has noted that in pursuance of the development agreement which was entered into by

the Appellant of his undivided share, construction activities have been going on for the last 15 years. Several buildings have been completed and there is a record of consideration having been received by the Appellant. In these circumstances, the refusal of interim relief does not warrant any interference. The Appeal is accordingly dismissed.

In view of the disposal of the Appeal from Order, the Civil Application is rendered infructuous and is accordingly disposed of.